

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jean-Claude Basset
5 Ser. No.: 09/980,355
Filed: May 29, 2000
For: Digital Television Receiver/Decoder Device with Playback for
Interactive Pre-recording Television Programme

10 PETITION UNDER 37 CFR 1.47 FOR ACCEPTANCE OF APPLICATION
WITHOUT PARTICIPATION OF INVENTOR

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

15

Sir:

Petition is hereby made pursuant to 37 CFR 1.47(b) for acceptance of the
present patent application by Thomson Multimedia Digital France on behalf of Jean
20 Claude Basset. Thomson Multimedia Digital France has proprietary rights in the
present application and made diligent effort to have the inventor, Jean Claude Basset,
execute the application for patent. The last known address of J.C. Basset is:

25 84 rue Vergniaud
F-75013, Paris
France
07/29/2002 LLANDGRA 00000099 070832 09980355
01 FC:122 130.00 CH

In support of the Petition the following Exhibits, including copies of
correspondences between Thomson Multimedia and Mr. Basset evidencing diligent
30 efforts to obtain the inventor's signature, are attached herewith:

A. e-mail message to Mr. Basset on November 28, 2001, e-mail message
to Mr. Basset on December 13, 2001, e-mail message from Mr. Basset on December
18, 2001, e-mail message to Mr. Basset on December 18, 2001, and translations of
35 these e-mail messages;

B. e-mail message from Mr. Basset on January 10, 2001, and translation
of the e-mail message;

C. registered letter to Mr. Basset on January 15, 2002, referencing Mr.
Basset's e-mail message of January 10, 2001 and requesting Mr. Basset's signature on
40 the required documents, a translation of the registered letter, and receipt evidencing
transmittal of the letter of January 15, 2002;

D. registered letter to Mr. Basset on March 19, 2002, referencing the
registered letter of January 15, 2002, enclosing copies of the documents sent
previously, and reminding Mr. Basset of the need for the signatures, a translation of
45 the registered letter, and receipt bearing Mr. Basset's signature evidencing Mr.
Basset's receipt of the letter of March 19, 2002;

E. Second Supplement to the Contract Relating to the Assignment of
Parts of a Business Subject to Conditions Precedent, evidencing the transfer of
proprietary rights in the present application (corresponds to FR 99 06957) to Thomson
50 Multimedia Digital France, and translation of the subject Second Supplement;

F. Power of Attorney to Joseph S. Tripoli granting the power to sign requisite documents in proceedings concerning this patent on behalf of Thomson Multimedia Digital France.

5 As indicated in the correspondences, the necessary documents for executing the application, which included a transfer document and a declaration, were prepared and sent to Mr. Bassett on November 28, 2001. A reminder about the documents was sent on December 13, 2001. In the reply e-mail of January 10, 2002, Mr. Basset
10 acknowledged TMM's proprietary rights in the patent application and offered to provide consulting services, but gave no indication that the documents would be returned as requested. A registered letter was sent on January 15, 2002, advising Mr. Basset that TMM was merely seeking Mr. Basset's signature to meet the requirements of U.S. law. No response was received to the registered letter of January 15, 2002. A
15 second registered letter was sent on March 19, 2002, again requesting that Mr. Basset sign and return the required documents. The copy of the receipt bearing Mr. Basset's signature indicates Mr. Basset's receipt of the letter. No response was received to the letter of March 19, 2002. In view of the above correspondences, it is submitted that diligent effort has been made to obtain Mr. Basset's signature, and that Mr. Basset has refused to sign and return the required documents.

20 In view of Exhibit E, Applicant has proprietary rights in the present application as a result of the transfer from Dassault Automatismes et Telecommunications S.A. In his e-mail of January 10, 2002, Mr. Basset clearly states that he does not dispute TMM's right in respect of this patent.

25 In view of Exhibit F, Joseph S. Tripoli is authorized to sign requisite documents in proceedings concerning this patent on behalf of Thomson Multimedia Digital France.

30 A Notification of Missing Requirements, requiring the submission of an oath or declaration of the inventors was mailed on February 11, 2001. In response, a declaration signed by Joseph S. Tripoli for Mr. Basset on behalf of Thomson Multimedia Digital France, and a Petition for Extension of Time, is hereby submitted to satisfy the requirement of the Notification and to preserve the rights of Thomson
35 Multimedia Digital France in the present application.

5 In view of the above, it is respectfully requested that the present Petition be granted and that the enclosed Declaration document executed by Joseph S. Tripoli be accepted as satisfying the requirements of 37 C.F.R. 1.497(a) and (b), and that the subject Patent Application be made on behalf of J.C. Basset.

10 Please charge the fee associated with this Petition to Deposit Account 07-0832. Should any questions arise regarding any of the above, the Examiner is requested to contact the undersigned at 609-734-9650.

Respectfully submitted,

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Paul P. Kiel
Attorney for Applicant
Registration No. 40,677

20 Certificate of Mailing under 37 CFR 1.8

25 I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in a postage paid envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

30 Date: 7-18-02

Signature 